

AO 91 (Rev. 01/09) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the  
District of New Mexico

United States of America )

v. )

Case No: 18mj 1461

Luvia DIEGO-Canó )

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of May 15, 2018 in the county of Dona Ana in the State and District of New Mexico, the defendant violated 8 U.S.C. §1326(a)(1),(2)(Re-Entry After Deport), an offense described as follows:

an alien, who had been previously arrested and deported from the United States and who had not received the consent of the appropriate authority of the United States to reapply for admission into the United States, was found in the United States, being willfully in the United States unlawfully

This criminal complaint is based on these facts:

On May 15, 2018, a United States Border Patrol Agent encountered the Defendant in Dona Ana County, New Mexico. When questioned as to her citizenship the Defendant admitted to being a citizen of Guatemala without authorization to enter or remain in the United States. Record checks revealed that the Defendant had been previously deported to Guatemala via El Paso, Texas on or about October 30, 2017. There is no evidence that the Defendant received permission from the appropriate Authority to reapply for admission into the United States.

☐ Continued on the attached sheet.



Complainant's signature

Giovanni A. Cisneros, Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: May 17, 2018

City and state: Las Cruces, N.M.



KEVIN R. SWEAZE  
U.S. MAGISTRATE JUDGE

Printed name and title